

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas, met in a Regular Meeting on Monday, November 16, 2020, at 7:00 p.m. at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public, with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Ted Kwas	Commissioner, Place 1
Randy Brewster	Commissioner, Place 2
Mike Tugman	Commissioner, Place 3
John Beard	Commissioner, Place 4
Marguerite Love	Mayor Pro-Tem, Commissioner, Place 5
Bill Lindenborn	Commissioner, Place 6

Others present were Lawrence Cutrone, City Manager; Margie Poole, City Clerk; and Mike Guevara, City Attorney.

Present in the City Hall Lobby were: Sarah Culp, Executive Assistant; Trish Holley, Director of Administration; Fred Tillman, Chief of Police; and Harold Watkins, Jr., Fire Chief.

ITEM 1. CALL MEETING TO ORDER: MAYOR CARL LAW

Mayor Law called the meeting to order at 7:20 p.m.

ITEM 2. INVOCATION

Reverend Khoi Tran, St. Jude Thaddeus Catholic Church, gave the invocation.

ITEM 3. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Love led the Pledge of Allegiance.

ITEM 4. CONSENT AGENDA

- A. Approval of Minutes from the October 19, 2020 Meeting.

The minutes were approved under the Consent Agenda.

ITEM 5. Mayor closed the Regular Meeting and opened the Public Hearing at 7:22 p.m. to discuss:

- A. Rezone Case 2020-65: An application to rezone 203 N Ave D from Multi-Family Residential to Commercial.

There were no public comments.

- B. Case 2020-67: Specific Use Permit for 509 E 1st Street to place a caretaker's home.

There were no public comments.

ITEM 6. Mayor closed the Public Hearing and re-opened the Regular Meeting at 7:23 p.m. to discuss and take any action necessary on:

A. Rezone Case 2020-65: An application to rezone 203 N Ave D from Multi-Family Residential to Commercial.

Commissioner Brewster made a motion, seconded by Commissioner Tugman, to approve the Rezone Case 2020-65. Motion carried unanimously.

B. Case 2020-67: Specific Use Permit for 509 E 1st Street to place a caretaker's home.

Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to approve the Case 2020-67. Motion carried unanimously.

ITEM 7. Discuss and take any action necessary for participation in The Interlocal Purchasing System (TIPS).

Mr. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners, stating that TIPS is a Texas-based purchasing cooperative that provides a list of pre-bid contractors for governmental entities to choose from, saving the City a step in the strict bidding process. Mr. Cutrone confirmed that this is no cost for this service, and the City will receive credits for using the system.

Commissioner Tugman made a motion, seconded by Mayor Pro-Tem Love, to approve the Interlocal Agreement. Motion carried unanimously.

ITEM 8. Discuss and take any action necessary on the Notice to Proceed with the Marseal Group, LLC.

Mr. Jacob Fuller and Mr. Tyler Miller from the Marseal Group, LLC addressed the Mayor and Commissioners, stating that the Marseal Group does much work in government construction, working with cities, counties, and other types of municipalities. Mr. Fuller stated that their goal is to be a solution provider, work with the insurance provider, determine the damage created and cost to make the City whole again. There is no cost to the City upon the agreement that they get the work by signing the Notice to Proceed.

The discussion then focused on the properties damaged, the priority of repairs to the buildings, the Marseal Group's working relationship with TML, and how they proceed as the City's advocate.

Commissioner Lindenborn made a motion, seconded by Commissioner Tugman, to approve the Notice to Proceed with the Marseal Group. Motion carried unanimously.

ITEM 9. Discuss and take any action necessary on Ordinance Number 986, regulating noise levels.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY ADDING CHAPTER 105. NOISE REGULATION; PROVIDING FOR THE REGULATION OF NOISE WITHIN THE CITY; PROVIDING THE REPEAL OF ORDINANCES AND PORTIONS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

Mr. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners, stating that due to various noise complaints that the City has received, staff reviewed current noise regulations, noted a lack of regulation, so drafted this noise ordinance in response.

Commissioner Brewster made a motion, seconded by Mayor Pro-Tem Love, to approve Ordinance Number 986. Motion carried unanimously.

ITEM 10. Discuss and take any action necessary on Ordinance Number 987, amending Chapter 34. AN ORDINANCE OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF BURKBURNETT, TEXAS BY AMENDING § 34.02 EVENTS HELD WITHIN CITY LIMITS; PROVIDING FOR THE ALLOWANCE FOR ALCOHOL IN THE DOWNTOWN DISTRICT AND DEFINING EVENT; AND PROVIDING FOR SEVERABILITY.

Mr. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners, stating that Chapter 34, specifically section 34.02, read more like a manual than an ordinance, so the City is proposing a revision.

In response to the Mayor's questions, Mr. Mike Guevara confirmed that the ordinance defines "event" as there was no prior definition and made the Rules of Conduct more specific to follow local ordinances.

Commissioner Brewster made a motion, seconded by Commissioner Kwas, to adopt Ordinance Number 987. Motion carried unanimously.

ITEM 11. Discuss and take any action necessary on Fire Department eligible expenses for the Coronavirus Relief Fund (CRF).

Fire Chief Watkins addressed the Mayor and Commissioners, detailing the list of items the City is proposing to purchase, which the Fire Chief believes qualifies for full reimbursement.

In response to Commissioner Brewster's and Mayor Law's questions, the discussion focused on the justification for these items and how the items will be paid for if costs are not reimbursed through the CRF.

Motion 1: Commissioner Brewster made a motion, seconded by Commissioner Tugman, to approve this list to total \$299,629 as presented.

After further discussion regarding the timelines for approval/reimbursement, the need for additional equipment, and the plans for the remaining nearly \$200,000, Commissioner Brewster withdrew his motion.

Motion 2: Commissioner Brewster made a motion, seconded by Commissioner Tugman, to approve this list and up to the full amount that we have remaining, at the discretion of the Fire Chief, Chief of Police, and the City Manager, collectively. Motion carried unanimously.

ITEM 12. CITY MANAGER'S REPORT

Mr. Lawrence Cutrone, City Manager, welcomed the new Commissioners and stated that the Chamber of Commerce's Parade and the City of Burkburnett's Christmas Dinner have been canceled per Governor's Executive Orders.

ITEM 13. COMMISSIONERS' COMMENTS

Commissioner Tugman invited the Chief of Police FC Tillman to recognize his officers. Chief Tillman shared with the Mayor and Commissioners the fruits the community receives from our police officers' training.

Chief Tillman recognized the following officers for their excellence in a runaway child investigation: Detectives Robert Turner and Jeff Krc.

Chief Tillman recognized the following officers for their excellence in a drug and counterfeiting investigation: Officers Ty Collins and Kenen Winger, Sergeant Blake Deeb, Detectives Robert Turner and Jeff Krc.

ITEM 14. ADJOURNMENT

Commissioner Brewster made a motion, seconded by Mayor Pro-Tem Love, to adjourn. Motion carried unanimously, and the meeting adjourned at 8:27 p.m.

Carl Law, Mayor

ATTEST:

Margie Poole, City Clerk